IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.4523 of 2007
Date of Decision: 26.3.2007

Saran Singh

Petitioner

versus

The Commissioner, Ambala Division, Ambala and others

Respondents

CORAM:- **HON'BLE MR. JUSTICE JASBIR SINGH**

HON'BLE MRS. JUSTICE NIRMAL YADAV

Present: Shri Bhag Singh, Advocate for the petitioner

Jasbir Singh, J. (Oral)

Admittedly, application against the petitioner filed by the Gram Panchayat – respondent No.4, for ejectment, is still pending. It is also an admitted position in law that respondent No.3 can file an independent application for ejectment of the petitioner from the land, in dispute.

It is apparent from the records that respondent No.3 filed an application for impleading him as party, by stating that the Gram Panchayat has connived with the petitioner. By taking note of that fact, in his appeal, the Collector allowed his application. We feel that once it is open to respondent No.3 to file an independent application for ejectment, his impleadment in the pending litigation, is perfectly justified. Counsel for the petitioner has failed to show as to how his right has been prejudiced or that any harm has been caused to him. An attempt has been made to assail the order only on technicalities. While exercising jurisdiction under Articles 226/227 of the Constitution of India, we feel that this Court is supposed to look into cause of substantial justice between the parties and technicalities

can be ignored. By impleading respondent No.3, the Collector has done justice to the parties. No case is made out for interference.

Dismissed.

(Jasbir Singh)
Judge

March 26, 2007 **(Nirmal Yadav)**
gk **Judge**